

BEFORE THE DEPARTMENT OF COMMERCE
OF THE STATE OF MONTANA

In the matter of the adoption of New)	NOTICE OF PUBLIC HEARING ON
Rule I pertaining to the administration)	PROPOSED ADOPTION
of the Quality Schools Grant Program)	
– Planning Grants, and New Rule II)	
pertaining to the administration of the)	
Quality Schools Grant Program –)	
Emergency Grants)	

TO: All Concerned Persons

1. On November 18, 2009, at 1:30 p.m., the Department of Commerce will hold a public hearing in Room B18 of the Park Avenue Building at 301 South Park Avenue, at Helena, Montana, to consider the proposed adoption of the above-stated rules.

2. The Department of Commerce will make reasonable accommodations for persons with disabilities who wish to participate in this rulemaking process or need an alternative accessible format of this notice. If you require an accommodation, contact the Department of Commerce no later than 5:00 p.m., November 6, 2009, to advise us of the nature of the accommodation that you need. Please contact Penney Clark, Department of Commerce, Quality Schools Grant Program, 301 South Park Avenue, P.O. Box 200549, Helena, Montana 59620-0549; telephone (406) 841-2800; TDD 841-2702; fax (406) 841-2878; or e-mail pclark2@mt.gov.

3. The rules as proposed to be adopted provide as follows:

NEW RULE I INCORPORATION BY REFERENCE OF RULES FOR THE ADMINISTRATION OF THE QUALITY SCHOOLS GRANT PROGRAM – PLANNING GRANTS (1) The Department of Commerce adopts and incorporates by reference the Quality Schools Grant Program Application and Guidelines for Planning Grants as rules for the administration of the Quality Schools Grant Program – Planning Grants program.

(2) The rules incorporated by reference in (1) relate to the scope and procedures for the award, administration, monitoring, and close-out of matching planning grants to public school districts.

(3) Copies of the regulations adopted by reference in (1) may be obtained from the Department of Commerce, Quality Schools Grant Program, 301 South Park Avenue, P.O. Box 200549, Helena, Montana 59620-0549, or on the Quality Schools Grant Program web site at <http://commerce.mt.gov/QualitySchools>.

AUTH: 90-6-819, MCA
IMP: 90-6-819, MCA

NEW RULE II INCORPORATION BY REFERENCE OF RULES FOR THE
ADMINISTRATION OF THE QUALITY SCHOOLS GRANT PROGRAM –
EMERGENCY GRANTS

(1) The Department of Commerce adopts and incorporates by reference the Quality Schools Grant Program Guidelines for Emergency Grants as rules for the administration of the Quality Schools Grant Program – Emergency Grants program.

(2) The rules incorporated by reference in (1) relate to the scope and procedures for the award, administration, monitoring, and close-out of emergency grants to public school districts.

(3) Copies of the regulations adopted by reference in (1) may be obtained from the Department of Commerce, Quality Schools Grant Program, 301 South Park Avenue, P.O. Box 200549, Helena, Montana 59620-0549, or on the Quality Schools Grant Program web site at <http://commerce.mt.gov/QualitySchools>.

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REASON: It is reasonably necessary to adopt these new rules to initiate the department's administration of the planning and emergency grants components of the newly established Quality Schools Grant Program, 90-6-801, *et seq.*, MCA. Public school districts must have these guidelines available before the entities may apply to the department for financial assistance under the Quality Schools program. The guidelines describe the department requirements with which public school districts must comply in order to apply for, receive, and administer Quality School planning or emergency grant funds.

4. Concerned persons may submit their data, views, or arguments either orally or in writing at the hearing. Written data, views, or arguments may also be submitted to the Department of Commerce, Quality Schools Grant Program, 301 South Park Avenue, P.O. Box 200549, Helena, Montana 59620-0549; telephone (406) 841-2800; TDD 841-2702; fax (406) 841-2878; or e-mail pclark2@mt.gov, and must be received no later than 5:00 p.m., November 26, 2009.

5. Kelly Casillas, Deputy Chief Legal Counsel, Department of Commerce, has been designated to preside over and conduct this hearing.

6. The department maintains a list of interested persons who wish to receive notices of rulemaking actions proposed by this agency. Persons who wish to have their name added to the list shall make a written request that includes the name, e-mail, and mailing address of the person to receive notices and specifies for which program the person wishes to receive notices. Notices will be sent by e-mail unless a mailing preference is noted in the request. Such written request may be mailed or delivered to the Department of Commerce, 301 South Park Avenue, P.O. Box 200501, Helena, Montana 59620-0501, by fax to (406) 841-2701, by e-mail to lgregg@mt.gov, or by completing a request form at any rules hearing held by the department.

7. An electronic copy of this Proposal Notice is available through the Secretary of State's web site at <http://sos.mt.gov/ARM/Register>. The Secretary of State strives to make the electronic copy of the Notice conform to the official version of the Notice, as printed in the Montana Administrative Register, but advises all concerned persons that in the event of a discrepancy between the official printed text of the Notice and the electronic version of the Notice, only the official printed text will be considered. In addition, although the Secretary of State works to keep its web site accessible at all times, concerned persons should be aware that the web site may be unavailable during some periods, due to system maintenance or technical problems.

8. The bill sponsor contact requirements of 2-4-302, MCA, apply and have been fulfilled. The primary bill sponsor was contacted by e-mail and telephone on October 15, 2009, and a copy of the proposed rules were sent to the primary bill sponsor's address on October 15, 2009.

/s/ KELLY A. CASILLAS
KELLY A. CASILLAS
Rule Reviewer

/s/ ANTHONY J. PREITE
ANTHONY J. PREITE
Director
Department of Commerce

Certified to the Secretary of State October 19, 2009.